

TRAITE DE COOPERATION EN MATIERE DE BREVETS

Rec'd PCT/PTO 27 DEC 2004

PCT

RAPPORT D'EXAMEN PRELIMINAIRE INTERNATIONAL

(article 36 et règle 70 du PCT)

REC'D 16 MAR 2004

WIPO PCT

Référence du dossier du déposant ou du mandataire	POUR SUITE A DONNER voir la notification de transmission du rapport d'examen préliminaire international (formulaire PCT/IPEA/416)	
Demande internationale No. PCT/FR 03/01920	Date du dépôt international (jour/mois/année) 23.06.2003	Date de priorité (jour/mois/année) 24.06.2002
Classification internationale des brevets (CIB) ou à la fois classification nationale et CIB B29C45/00, B29C45/00		
Déposant VALOIS SAS et al.		

1. Le présent rapport d'examen préliminaire international, établi par l'administration chargée de l'examen préliminaire international, est transmis au déposant conformément à l'article 36.



2. Ce RAPPORT comprend 4 feuilles, y compris la présente feuille de couverture.

- ☐ Il est accompagné d'ANNEXES, c'est-à-dire de feuilles de la description, des revendications ou des dessins qui ont été modifiées et qui servent de base au présent rapport ou de feuilles contenant des rectifications faites auprès de l'administration chargée de l'examen préliminaire international (voir la règle 70.16 et l'instruction 607 des Instructions administratives du PCT).

Ces annexes comprennent feuilles.

3. Le présent rapport contient des indications et les pages correspondantes relatives aux points suivants :

- I ☒ Base de l'opinion
- II ☐ Priorité
- III ☐ Absence de formulation d'opinion quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle
- IV ☐ Absence d'unité de l'invention
- V ☒ Déclaration motivée selon la règle 66.2(a)(ii) quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle; citations et explications à l'appui de cette déclaration
- VI ☐ Certains documents cités
- VII ☐ Irrégularités dans la demande internationale
- VIII ☐ Observations relatives à la demande internationale

Date de présentation de la demande d'examen préliminaire internationale 26.01.2004	Date d'achèvement du présent rapport 12.03.2004
Nom et adresse postale de l'administration chargée de l'examen préliminaire international  Office européen des brevets D-80298 Munich Tél. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Fonctionnaire autorisé N° de téléphone +49 89 2399- 

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**RAPPORT D'EXAMEN
PRÉLIMINAIRE INTERNATIONAL**

Demande internationale n° PCT/FR 03/01920

5. ☐ Le présent rapport a été formulé abstraction faite (de certaines) des modifications, qui ont été considérées comme allant au-delà de l'exposé de l'invention tel qu'il a été déposé, comme il est indiqué ci-après (règle 70.2(c)) :

(Toute feuille de remplacement comportant des modifications de cette nature doit être indiquée au point 1 et annexée au présent rapport.)

6. Observations complémentaires, le cas échéant :

V. Déclaration motivée selon l'article 35(2) quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle; citations et explications à l'appui de cette déclaration

- | | | | |
|--|------|----------------|------|
| 1. Déclaration | | | |
| Nouveauté | Oui: | Revendications | 1-12 |
| | Non: | Revendications | |
| Activité inventive | Oui: | Revendications | 1-12 |
| | Non: | Revendications | |
| Possibilité d'application industrielle | Oui: | Revendications | 1-12 |
| | Non: | Revendications | |

2. Citations et explications

voir feuille séparée

Concernant le point V

Déclaration motivée selon l'article 35(2) quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle; citations et explications à l'appui de cette déclaration

- 1) Il est fait référence au document suivant:

D1: PATENT ABSTRACTS OF JAPAN vol. 1998, no. 11, 30 septembre 1998
(1998-09-30) -& JP 10 175230 A (NISSEI PLASTICS IND CO), 30 juin 1998
(1998-06-30)

- 2) **Activité inventive**

L'objet de la revendication indépendante 1 se distingue de D1, qui est considéré comme l'état de la technique le plus proche, par les caractéristiques essentielles suivantes:

M1 le système comporte des moyens pour assembler par paire chaque empreinte du premier moule empreinte avec toujours la même empreinte respective dudit second moule empreinte.

De cette manière le même insert est toujours assemblé dans la même tête de pulvérisation, garantissant ainsi une constance de performances de pulvérisation pour chaque dispositif de distribution assemblé à partir des mêmes empreintes.

Le problème que se propose de résoudre la présente invention est l'amélioration de la constance de performances du dispositif de pulvérisation:

Aucun des documents cités ne montre ni ne rend évidente une telle caractéristique.

C'est pourquoi la présente invention est à considérer comme nouvelle et impliquant une activité inventive (articles 33(2) et 33(3) PCT).

Pour les mêmes raisons l'objet de la revendication indépendante 8 implique également une activité inventive.

- 3) L'objet de la demande est de plus industriellement réalisable (article 33(3) PCT).

Translation

PATENT COOPERATION TREATY

PCT/FR2003/001920



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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference VALS 811 B PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/FR2003/001920	International filing date (day/month/year) 23 juin 2003 (23.06.2003)	Priority date (day/month/year) 24 juin 2002 (24.06.2002)
International Patent Classification (IPC) or national classification and IPC B29C 45/00		
Applicant VALOIS SAS		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.
☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 26 janvier 2004 (26.01.2004)	Date of completion of this report 12 March 2004 (12.03.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/FR2003/001920

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
 pages _____ 1-10 _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☒ the claims:
 pages _____ 1-12 _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☒ the drawings:
 pages _____ 1/8-8/8 _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-12	YES
	Claims		NO
Inventive step (IS)	Claims	1-12	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-12	YES
	Claims		NO

2. Citations and explanations

1. Reference is made to the following document:

D1: PATENT ABSTRACTS OF JAPAN, vol. 1998, no. 11, 30
September 1998 (1998-09-30) -& JP 10 175230 A
(NISSEI PLASTICS IND CO), 30 June 1998 (1998-06-30)

2. **Inventive step**

The subject matter of independent claim 1 differs from D1, which is considered to be the closest prior art, by virtue of the following essential features:

M1 The system comprises means for pairing each cavity of the first impression mould with consistently the same respective cavity of the second impression mould.

As a result, each insert is always assembled in the same spray head, thereby ensuring consistent spray performance by each dispensing device assembled from the same mould cavities.

The problem that the present invention is intended to solve can thus be considered to be that of enhancing spray device performance consistency.

The above feature is not described in or obvious

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from any of the cited documents.

It follows that the present invention can be considered novel and inventive (PCT Article 33(2) and (3)).

For the same reasons, the subject matter of independent claim 8 also involves an inventive step.

3. Furthermore, the subject matter of the application is industrially applicable (PCT Article 33(4)).